

M E M O R A N D U M

TO: ALL COUNSEL

FROM: HON. EDWIN M. KOSIK

DATE: NOVEMBER 26, 2008

RE: FIORUCCI v. THE CITY OF WILKES-BARRE, et al., No. 3:CV-06-1084

This case has certainly raised a lot of issues.

As a partial response to one question in my memo of November 21, 2008, I offer for your review Franceschi v. U.S. Dept. of Veterans Affairs, 514 F. 3d 81 (1st Cir. 2008).

There is very little on the subject.

EMK/rd

FILED
SCRANTON

NOV 26 2008

PER M. S. P.
DEPUTY CLERK